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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,471	02/22/2002	Helmut M. Sassenfeld	3091-A	8482
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IMMUNEX CORPORATION LAW DEPARTMENT 51 UNIVERSITY STREET			EXAMINER	
			O HARA, EILEEN B	
SEATTLE, WA	A 98101		ART UNIT	PAPER NUMBER
			1646 DATE MAILED: 07/11/2003	4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examin r		•	Application N .	Applicant(s)			
Elicen O'Hara			10/080,471	SASSENFELD ET AL.			
- The MALING DATE If this communication appears on the c_ver sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Estatement of term empt be available under the processors of 37 CPR 1.35(a). In no event, however, may a reply be limitly filed Estatement of term empt be available under the processors of 37 CPR 1.35(a). In no event, however, may a reply be limitly filed Estatement of term empt be available under the processor of 37 CPR 1.75(d) days, is anylowed to the processor of the part of the part of the part of the reply with the set or extended printed for reply will, by stabular, cause the application of bacomer ASMSONICO (SC U.S.C.§ 13(s)). Failure to reply within the set or extended printed for reply will, by stabular, cause the application of bacomer ASMSONICO (SC U.S.C.§ 13(s)). Failure to reply within the set or continuous cause of the commerciation of this commerciation. Failure to reply within the set or communication (S) filed on		Office Action Summary	Examin r	Art Unit			
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2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-55 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to . 8) Claim(s) j-55 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 10 Notice of References Cited (PTO-892) 5) Notice of Informal Patent Application (PTO-152)	Status						
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U.S. Patent and Trademark Office PTO-326 (Rev. 04-01) Application/Control Number: 10/080,471

Art Unit: 1646

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention: the specific proteins or the types of proteins listed in claims 5, 6, 8, 31, 32, 34 and 55.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1-3, 9-23, 27-29, 35-50 and 54 are generic.

2. This application also contains claims directed to the following patentably distinct species of the claimed invention: reduction/oxidation coupling reagent selected from glutathione, cysteine, dithiothreitol, 2-mercaptoethanol and dithionitroenzoate.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1-11, 15-36 and 41-55 are generic.

3. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

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Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

A telephone call was made to Kathleen Prindle on July 1, 2003 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eileen B. O'Hara, whose telephone number is (703) 308-3312.

The examiner can normally be reached on Monday through Friday from 10:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yvonne Eyler can be reached at (703) 308-6564.

Official papers Before Final filed by RightFax should be directed to (703) 872-9306.

Official papers After Final filed by RightFax should be directed to (703) 872-9307.

Official papers filed by fax should be directed to (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Eileen B. O'Hara, Ph.D.

B. Offm

Patent Examiner